

**IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE: TIMOTHY R. SCOTT  
DEBTOR**

**CASE NO. 1:20-BK-01920-HWV  
CHAPTER 13**

**TIMOTHY R. SCOTT  
MOVANT  
VS.**

**CAVALRY SPV I, LLC  
RESPONDENT**

**OBJECTION TO PROOF OF CLAIM # 1 CAVALRY SPV I, LLC**

**NOW COMES** the above-named Debtor, by and through their attorney of record, pursuant to 11 U.S.C. Section 502(b) and Bankruptcy Rule 3002, and respectfully object to the proof of claim #1 filed Cavalry SPV I, LLC (Cavalry) on June 29, 2020 for the following reasons:

1. On June 25, 2020 Debtor filed this Chapter 13 Case.
2. On June 29, 2020, Cavalry filed proof of claim # 1 in Debtor's case in the amount of \$5,344.16.
3. Debtors assert that the supporting information attached to Cavalry's proof of claim shows a "Last Payment Date" of November 9, 2006 and a "Charge off Date" of August 14, 2006.
4. Debtor asserts he have not made payments after the "Last Payment Date" and this debt does not appear on his credit report.
5. Debtor therefore asserts that Cavalry abandoned collection of this claim as of the "Charge off Date" of August 14, 2006.
6. Debtor asserts that pursuant to 11 U.S.C. § 502(b)(1), applicable Pennsylvania law governs the collectability of this debt.
7. Debtors assert that this debt is time-barred and uncollectable pursuant to 42 Pa.C.S. § 5525(a).
8. Debtors assert Cavalry's unsecured claim filed with proof of claim #1 should be disallowed in its entirety.

**WHEREFORE**, the Debtor respectfully requests the Court issue an order disallowing Claims #1 filed by Cavalry in its entirety.

Dated: March 23, 2021

Respectfully Submitted,

/s/ Nicholas G. Platt

Nicholas G. Platt (327239)

Counsel for Debtor

Mooney Law

230 York Street

Hanover, PA 17331

ngp@mooney4law.com

(717) 632-4656 Phone

(717) 632-3612 Fax